

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BRIAN DAVIS, on behalf of himself and all others similarly situated,	:
	:
	: Case No.:
Plaintiff,	: 15 Civ. 02157 (GBD)
- against -	:
	:
IMG WORLDWIDE, LLC, IMG WOLRDWIDE, INC.,	:
IMG MODELS, LLC, and WILLIAM MORRIS	:
ENDEAVOR ENTERTAINMENT, LLC,	:
	:
Defendants.	:
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**PLAINTIFF’S NOTICE OF MOTION
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT,
CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS,
APPOINTMENT OF PLAINTIFF’S COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFF’S PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in Plaintiff’s Memorandum of Law in Support of his Motion for Preliminary Approval of Class Action Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiff’s Counsel as Class Counsel, and Approval of Plaintiff’s Proposed Notice of Settlement, the Declaration of Garrett Kaske (“Kaske Decl.”) and supporting exhibits, and the Declaration of Troy Kessler, Plaintiff respectfully requests that the Court

- (1) Grant preliminary approval of the Settlement Agreement and Release, attached as **Exhibit A** to the Kaske Decl.;
- (2) Conditionally certify the proposed settlement class, for settlement purposes, only under Federal Rule of Civil Procedure 23(b)(3), and as a collective action under 29 U.S.C. § 216(b);
- (3) Appoint Shulman Kessler LLP as Class Counsel;
- (4) Appoint Rust Consulting as the Claims Administrator; and
- (5) Approve (a) the proposed Notice of Class and Collective Action Settlement attached as **Exhibit B** to the Kaske Decl., (b) Claim Form and Release,

attached as **Exhibit C** to the Kaske Decl., and (c) the Reminder Notice, attached as **Exhibit D** to the Kaske Decl., and direct their distribution.

For the Court's convenience, Plaintiff has attached a Proposed Order as **Exhibit A** to this Notice.

Dated: July 14, 2016
New York, New York

Respectfully submitted,

By: /s/ Garrett Kaske
Garrett Kaske

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*Attorneys for Plaintiffs and the
Putative Collective and New York
Class*